

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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EXTREME NETWORKS, INC.,

Plaintiff,

JUDGMENT IN A CIVIL CASE

v.

Case No. 07-cv-229-bbc

ENTERASYS NETWORKS, INC.,

Defendant.

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This matter came before the court and a jury with District Judge Barbara B. Crabb presiding. The issues have been tried and the jury has rendered a verdict.

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IT IS ORDERED AND ADJUDGED that judgment is entered:

1. Dismissing defendant Enterasys Networks, Inc.'s counterclaims for infringement of U.S. Patents Nos. 6,041,042, 5,195,181 and 5,430,727 with prejudice;
2. Dismissing plaintiff Extreme Networks, Inc.'s claims for invalidity of the '042, '181 and '727 patents without prejudice;
3. Limiting plaintiff's damages for infringement to those plaintiff incurred after it filed this lawsuit on April 20, 2007;
3. In favor of defendant on plaintiff's claims that the Matrix X, X-Pedition 8000 and X-Pedition 8600 routers infringe claim 1 of the '248 patent and claim 1 of the '438 patent; and

4. In favor of plaintiff Extreme Networks, Inc. against defendant Enterasys Networks, Inc. in the amount of \$201,213.00 on plaintiff's claims that defendant's Matrix X routers have infringed claims 21 and 29 of U.S. Patent No. 6,104,700, that the Matrix X, X-Pedition 8000 and X-Pedition 8600 routers have infringed claim 15 of U.S. Patent No. 6,678,248, and that the Matrix X, X-Pedition 8000 and X-Pedition 8600 routers have infringed claim 5 of U.S. Patent No. 6,859,438.

IT IS FURTHER ORDERED AND ADJUDGED that defendant is permanently enjoined as follows:

- Defendant, defendant's officers, agents, servants, employees, attorneys and other persons who are in active concert or participation with them who receive actual notice of this judgment are permanently enjoined from manufacturing, using, offering to sell, or selling in the United States, or importing into the United States, the X-Pedition 8000, the X-Pedition 8600, and the Matrix X series products, either alone or in combination with any other product and any other existing or future product that is not more than a colorable variation of the X-Pedition 8000, the X-Pedition 8600, and the Matrix X series products.
- Defendant shall destroy its existing inventory of the X-Pedition 8000, the X-Pedition 8600, and the Matrix X series products within ten days of the final resolution of any appeal by defendant.
- Within ten days of the court's order, defendant shall provide written notice of the order and injunction to its officers, agents, servants, employees, attorneys and other persons who are in active concert with them.

- This injunction shall run until the expiration of plaintiff's patents, which is February 3, 2018, with respect to the '700 and '438 patents, and March 16, 2020, with respect to the '248 patent.

Approved as to form this 3d day of November, 2008.

Barbara B. Crabb

Barbara B. Crabb  
District Judge

Joel W. Turner

Joel W. Turner  
Acting Clerk of Court

11-5-2008

Date